



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-1131



April 17, 2007

Allstate Indemnity Company % C T Corp.
800 South Gay Street, Ste 2021
Knoxville, TN 37929-9710
NAIC # 19240

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7006 2150 0004 6619 3088
Cashier # 2805

Re: Selena Jackson V. Allstate Indemnity Company % C T Corp.

Docket # Cc2023-07

To Whom It May Concern:

We are enclosing herewith a document that has been served on this department on your behalf in connection with the above-styled matter.

I hereby make oath that the attached Complaint was served on me on April 12, 2007 by Selena Jackson pursuant to Tenn. Code Ann. § 56-2-504 or § 56-2-506. A copy of this document is being sent to the Circuit Court of Lawrence County, TN.

Brenda C. Meade
Designated Agent
Service of Process

Enclosures

cc: Circuit Court Clerk
Lawrence County
240 West Gains, Nbu 12
Lawrenceburg, Tn 38464

SUMMONS

STATE OF TENNESSEE
LAWRENCE COUNTY
CIRCUIT COURT AT LAWRENCEBURG, TN

SELENA JACKSON

Plaintiff

VERSUS

ALLSTATE INDEMNITY COMPANY, and

ALLSTATE INSURANCE COMPANY

Defendant

Number CC-2023-07

CIRCUIT COURT
SUMMONS

TO ALLSTATE INDEMNITY COMPANY --- Serve through the TN Department of Commerce and Insurance
Defendant in the above entitled civil action

Raymond G. Prince

You are hereby summoned and required to serve upon

plaintiff's attorney whose address is 150 Second Avenue North, Suite 300, Nashville, TN 37201-1920

an answer to the Complaint and Plaintiff's First Requests for Production of Documents Propounded
to Defendants

which is herewith served upon you within thirty(30) days after service of this summons upon you, exclusive of the day of service. You are further directed to file your defense with the Clerk of the Court and send a copy to the Plaintiff's attorney

In case of your failure to defend this action by above date, judgment by default can be rendered against you for the relief demanded in the complaint.

Attested to on date issued 4-5-07 Debbie Riddle
LEON CLANTON, Circuit Court Clerk

Issued

20 07 By Sandy Newton

DC

NOTICE

TO THE DEFENDANT (S):

Tennessee law provides a four thousand dollar (\$4,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

RETURN OF SERVICE OF SUMMONS

I hereby certify and return, that on the _____ day of _____, 20____

I served this summons together with a copy of the complaint herein as follows _____

Sheriff-Deputy Sheriff

CT CORPORATION
A WoltersKluwer Company

**Service of Process
Transmittal**

04/20/2007

Log Number 512152478

TO: Kim Turner
Allstate Insurance Company - Nashville MCO
555 Marriott Drive, Suite 850
Nashville, TN, 37214

RE: **Process Served in Tennessee**

FOR: ALLSTATE INSURANCE COMPANY (Domestic State: IL)

SWT
7380

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Selena Jackson, Pltf. vs. Allstate Indemnity Company and Allstate Insurance Company, Dfts

DOCUMENT(S) SERVED: Letter, Summons, Complaint, Exhibits

COURT/AGENCY: Lawrence County Circuit Court, TN
Case # CC202307

NATURE OF ACTION: Insurance Litigation - Policy benefits claimed for property damage caused by fire

ON WHOM PROCESS WAS SERVED: C T Corporation System, Knoxville, TN

DATE AND HOUR OF SERVICE: By Certified Mail on 04/20/2007 postmarked on 04/17/2007

APPEARANCE OR ANSWER DUE: Within 30 days after the summons has been served upon you, not including the day of service

ATTORNEY(S) / SENDER(S): Raymond G. Prince
Prince & Hellinger, P.C.
150 Second Avenue, North
Suite 300
Nashville, TN, 37201
615-244-8630

REMARKS: Process served/received by the Insurance Commissioner on 04/12/2007, and mailed to CT Corporation System on 04/20/2007

ACTION ITEMS: SOP Papers with Transmittal, via Fed Ex Priority Overnight, 798157295885
Email Notification, Patti Gariti pgarq@allstate.com

SIGNED: C T Corporation System

ADDRESS: 800 S. Gay Street
Suite 0221
Knoxville, TN, 37929-9710

TELEPHONE: 865-342-3522

APR 24 2007

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Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of the package only not of its contents.

IN THE CIRCUIT COURT FOR LAWRENCE COUNTY, TENNESSEE
AT LAWRENCEBURG

SELENA JACKSON,

Plaintiff,

vs.,

ALLSTATE INDEMNITY COMPANY,

and

ALLSTATE INSURANCE COMPANY,

Defendants.

CIVIL ACTION NO. CC-2023-07

JURY DEMAND

FILED FOR RECORD
2007 APR 5 AM 10 04
CIRCUIT CLERK
LAWRENCEBURG TN 38464

COMPLAINT

Parties and Jurisdiction

1. Plaintiff Selena Jackson is a citizen of Lawrence County, Tennessee, currently residing at 413 Second Street, Lawrenceburg, Tennessee 38464. At all times material herein, Plaintiff was the owner of real property located at 589 Old Florence Pulaski Road, Leoma, Lawrence County, Tennessee 38468.

2. Defendants are insurance companies doing business in the State of Tennessee and are subject to suit in the courts of Lawrence County, Tennessee.

3. Plaintiff is an insured under a policy of insurance issued by Defendant Allstate Indemnity Company covering the residential property owned by Plaintiff at 589 Old Florence Pulaski Road, Leoma, Lawrence County, Tennessee 38468. A copy of the policy believed to be substantially similar to the policy in force at the time of loss as described hereafter is attached hereto as **Exhibit 1**.

4. Allstate Insurance Company is being named as a Defendant because it was under its name that Plaintiff's claim was denied as alleged herein in paragraph 6.

5. Jurisdiction and venue are proper in Lawrence County Circuit Court

Facts

6. On August 8, 2005, the residential property owned by Plaintiff and insured by Defendants under the policy of insurance at issue was damaged by fire. Plaintiff made timely claim for sums due under the policy at issue.

7. Defendants conducted an investigation of the facts and circumstances surrounding the loss and of the extent of Plaintiff's claim for loss arising out of the fire at issue. Sixteen months after the fire, on December 7, 2006, as evidenced by the attached **Exhibit 2** hereto, Defendants denied Plaintiff's claim, making false accusations as a pretext to deny the claim.

8. Plaintiff has sustained compensable losses including approximately \$75,000.00 in replacement cost for contents, approximately \$60,000.00 for the repair costs of her home, and has sustained unreimbursed losses for additional living expense. Plaintiff has made demand for said sums upon Defendants, but Defendants have failed and refused to pay said losses.

9. Plaintiff has complied with all applicable terms and conditions of the policy at issue.

10. Throughout the sixteen months from the time the Defendants were notified of the loss until it denied responsibility therefor and in denying said claim, Defendants through their agents and employees have engaged in a course of conduct violative of both T.C.A. §56-7-105 and the Tennessee Consumer Protection Act by acts including but not limited to the following: failing to honor financial agreements for the payment of veterinarian charges, motel, and other living expense

charges; sending to the Plaintiff a completed Proof of Loss form with all blanks filled in and instructing Plaintiff in the way to complete the Proof of Loss prior to submission to Defendants; repeated refusal to provide necessary documentation underlying its various decisions; refusal to permit entry by Plaintiff to her home following the fire; failing to complete a full and impartial investigation into the cause of the loss at issue; and hiring a business establishment entitled FireCheck which both failed to conduct a proper inspection of the personal property and damaged or destroyed personal property of the Plaintiff which had not been damaged in the fire.

Liability of Defendant

11. By failing to pay for Plaintiff's covered losses, Defendants have breached the policy of insurance at issue.

12. The acts of Defendants, as will be proven to the jury, constitute unfair and deceptive acts and practices as prohibited under the Tennessee Consumer Protection Act, specifically under T.C.A. §47-18-104. The acts of Defendants were willful and knowing, giving rise to liability for attorney fees and treble damages under T.C.A. §47-18-109(a)(3).

13. Attached hereto as **Exhibit 3** is a copy of Plaintiff's attorney's letter to Defendants making demand for all sums due under the policy. After sixty days expire from the date of said letter, Plaintiff will amend her Complaint under T.C.A. §56-7-105 to add an allegation of bad faith.

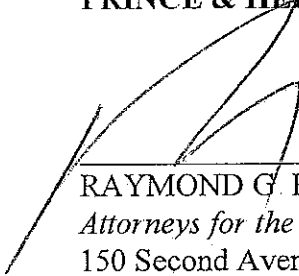
PREMISES CONSIDERED, PLAINTIFF PRAYS:

1. That proper process issue and be served upon the Defendants requiring them to appear and answer this Complaint;

2. For a judgment for all sums due under the policy of insurance at issue;
3. For prejudgment interest;
4. For all damages, including treble damages and attorney fees, due Plaintiff under the Tennessee Consumer Protection Act.
5. For permission to amend in a timely fashion to allege damages arising out of the Defendants' lack of good faith under T.C.A. §56-7-105.
6. For the discretionary costs of this cause;
7. For the Court costs of this cause;
8. For a jury of twelve to try this action; and
9. For general relief.

Respectfully submitted,

PRINCE & HELLINGER, P.C.



RAYMOND G. PRINCE, BPR #5592
Attorneys for the Plaintiff
150 Second Avenue North, Ste. 300
Nashville, IN 37201-1920
615/244-8630